

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/004473

International filing date (day/month/year)
22.10.2004

Priority date (day/month/year)
23.10.2003

International Patent Classification (IPC) or both national classification and IPC
B41M5/124

Applicant
ARJO WIGGINS LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. V Reasoned statement under Rule 43*b*/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-14
	No: Claims	
Inventive step (IS)	Yes: Claims	1-14
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1 The following documents are referred to in this communication:

D1 : EP 0 274 886 A (WIGGINS TEAPE GROUP LTD) 20 July 1988 (1988-07-20)

2 INDEPENDENT CLAIM 1

2.1 Document D1, which is considered to represent the most relevant state of the art for the subject-matter of claim 1, discloses [see page 2, line 28 to page 3, line 4 ; page 4, lines 3-41 ; page 5, lines 23-35 ; example 5] : a CB-sheet comprising a paper sheet having on its front a printable coating comprising a pigment and a binder. The Bendtsen porosity of this known paper sheet, when carrying the printable coating but prior to the application of the CB coating, is more than 30 ml/min in order to allow successful and economic subsequent application of CB coatings.

From this, the subject-matter of independent claim 1 differs in that the paper sheet has, when carrying the printable coating but prior to the application of the CB coating, a Bendtsen porosity in excess of 100 ml/min. This porosity range provides a new technical effect of reducing curl following printing of the CB-sheet using an electrophotographic printer.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

2.2 The problem to be solved by the present invention may be regarded as the need to provide a CB-sheet comprising a paper sheet having on its front a printable coating comprising a pigment and a binder, which does not curl when used in electrophotographic printer.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons : the problem is unrecognised in D1 and the skilled person has no indication from D1 or the other documents cited in the International Search Report inciting him to modify the CB-sheet

from D1 in order to solve the mentioned problem.

3 INDEPENDENT CLAIM 13

3.1 According to PCT Guidelines, a "use" claim should be regarded as equivalent to a "process" claim (see PCT/GL/ISPE/1-A5.21). Therefore, for purposes of international search and examination, claim 13 has been interpreted as : "Process for reducing curl following printing of a sheet product using an electrophotographic printer, said process using a sheet product as defined in claim 1".

3.2 For analogous reasons for those given above for claim 1, claim 13 referring to a process which employs the sheet product of claim 1 also meets the requirements of Articles 33(2) and (3) PCT.

4 DEPENDENT CLAIMS 2-12 and 14

Claims 2-12 and 14 are dependent on claim 1 and 13 respectively, and as such also meet the requirements of the PCT with respect to novelty and inventive step (see PCT/GL/ISPE/1-13.19).
